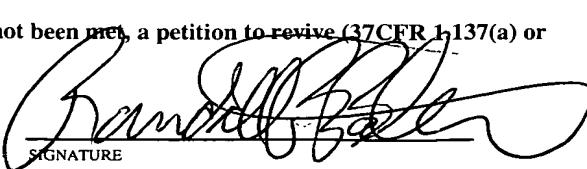


|  |   |   |
|--|---|---|
| <p>U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE<br/> <b>TRANSMITTAL LETTER TO THE UNITED STATES<br/>     DESIGNATED/ELECTED OFFICE (DO/EO/US)<br/>     CONCERNING A FILING UNDER 35 U.S.C 371</b></p> |   | <p>ATTORNEY'S DOCKET NUMBER<br/> <b>1589.GLE.PT</b></p> <p>U.S. APPLICATION NO. (If known, see 37 CFR 1.5)<br/> <b>09/787,651</b></p> |
| INTERNATIONAL APPLICATION NO.<br><b>PCT/EP99/07111</b>   | INTERNATIONAL FILING DATE<br><b>24 September 1999</b> | PRIORITY DATE CLAIMED<br><b>30 September 1998</b>   |
| <p><b>TITLE OF INVENTION</b><br/> <b>VACUUM PUMP</b></p>   |   |   |
| <p><b>APPLICANT(S) FOR DO/EO/US</b><br/> <b>Dieter Otto</b></p>  |   |   |
| <p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p>   |   |   |
| <p>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</p>   |   |   |
| <p>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</p>  |   |   |
| <p>3. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p>                   |   |   |
| <p>4. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).</p>   |   |   |
| <p>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p>  |   |   |
| <p>    a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</p>   |   |   |
| <p>    b. <input type="checkbox"/> has been communicated by the International Bureau.</p>  |   |   |
| <p>    c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p>  |   |   |
| <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p>  |   |   |
| <p>    a. <input type="checkbox"/> is attached hereto.</p>   |   |   |
| <p>    b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p>  |   |   |
| <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).</p>   |   |   |
| <p>    a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</p>  |   |   |
| <p>    b. <input type="checkbox"/> have been communicated by the International Bureau.</p>   |   |   |
| <p>    c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p>   |   |   |
| <p>    d. <input type="checkbox"/> have not been made and will not be made.</p>  |   |   |
| <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p>   |   |   |
| <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p>   |   |   |
| <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>                               |   |   |
| <p><b>Items 11. to 16. below concern document(s) or information included:</b></p>  |   |   |
| <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p>  |   |   |
| <p>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p>   |   |   |
| <p>13. <input type="checkbox"/> A <b>FIRST</b> preliminary amendment.</p>  |   |   |
| <p>14. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</p>  |   |   |
| <p>15. <input type="checkbox"/> A substitute specification.</p>  |   |   |
| <p>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</p>   |   |   |
| <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.</p>  |   |   |
| <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p>  |   |   |
| <p>19. <input type="checkbox"/> A second copy of the English translation of the international application under 35 U.S.C. 154(d)(4).</p>   |   |   |
| <p>20. <input checked="" type="checkbox"/> Other items or information:<br/> - postcard</p>   |   |   |

|  |  |   |            |    |
|--|--|---|------------|----|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.3)<br>09/787,651  | INTERNATIONAL APPLICATION NO.<br>PCT/EP/99/07111 | ATTORNEY'S DOCKET NUMBER<br>1589.GLE.PT |            |    |
| <p>21. <input type="checkbox"/> The following fees are submitted:</p> <p><b>BASIC NATIONAL FEE (37 CFR 1.492 (a)(1) - (5)):</b></p> <p>Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO . . . . . \$1000.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO . . . . . \$860.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO . . . . . \$710.00</p> <p>International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) . . . . . \$690.00</p> <p>International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) . . . . . \$100.00</p> <p><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></p> |  | CALCULATIONS<br>PTO USE ONLY            |            |    |
| <p>Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).</p>  |  | \$                                      |            |    |
| CLAIMS   | NUMBER FILED                                     | NUMBER EXTRA                            | RATE       |    |
| Total claims   | -20 =  |   | X \$18.00  | \$ |
| Independent claims   | -3 =   |   | X \$80.00  | \$ |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable)  |  |   | + \$270.00 | \$ |
|  |  | <b>TOTAL OF ABOVE CALCULATIONS =</b>    | \$         |    |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.   |  | + \$                                    |            |    |
|  |  | <b>SUBTOTAL =</b>                       | \$         |    |
| Processing fee of <b>\$130.00</b> for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).  |  | + \$                                    |            |    |
|  |  | <b>TOTAL NATIONAL FEE =</b>             | \$         |    |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property  |  | + \$ 40.00                              |            |    |
|  |  | <b>TOTAL FEES ENCLOSED =</b>            | \$ 40.00   |    |
| PREVIOUS PAYMENT PAID IN THE AMOUNT OF \$2,230.00<br>(previous payment included fee for Oath & Declaration)  |  | Amount to be refunded:                  | \$         |    |
|  |  | charged:                                | \$         |    |
| <p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. <u>50-0881</u> in the amount of \$ _____ to cover the above fees.<br/>A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-0881</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input checked="" type="checkbox"/> Fees are to be charged to a credit car. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.</p>   |  |   |            |    |
| <p><b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b></p>  |  |   |            |    |
| <p>SEND ALL CORRESPONDENCE TO:</p> <p>Randall B. Bateman<br/>MORRISS, BATEMAN, O'BRYANT &amp; COMPAGNI<br/>5882 South 900 East, Suite 300<br/>Salt Lake City, Utah 84121<br/>(801) 685-2302 phone<br/>(801) 685-2303 facsimile</p>   |  |   |            |    |
| <p><br/>SIGNATURE<br/>Randall B. Bateman</p>   |  |   |            |    |
| <p>NAME<br/><u>37,774</u></p>  |  |   |            |    |
| <p>REGISTRATION NUMBER</p>   |  |   |            |    |

23 JUN 2001

21.  The following fees are submitted:**BASIC NATIONAL FEE (37 CFR 1.492 (a)(1) - (5)):**

Neither international preliminary examination fee (37 CFR 1.482)  
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO  
and International Search Report not prepared by the EPO or JPO . . . . . \$1000.00

International preliminary examination fee (37 CFR 1.482) not paid to  
USPTO but International Search Report prepared by the EPO or JPO. . . . . \$860.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but  
international search fee (37 CFR 1.445(a)(2)) paid to USPTO . . . . . \$710.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO  
but all claims did not satisfy provisions of PCT Article 33(1)-(4). . . . . \$690.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO  
and all claims satisfied provisions of PCT Article 33(1)-(4). . . . . \$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

CALCULATIONS

PTO USE ONLY

Surcharge of **\$130.00** for furnishing the oath or declaration later than  20  30  
months from the earliest claimed priority date (37 CFR 1.492(e)).

\$

| CLAIMS   | NUMBER FILED | NUMBER EXTRA | RATE       |                              |
|--|--------------|--------------|------------|------------------------------|
| Total claims   | -20 =        |              | X \$18.00  | \$                           |
| Independent claims   | -3 =         |              | X \$80.00  | \$                           |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable)  |              |              | + \$270.00 | \$                           |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>   |              |              |            | \$                           |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are<br>reduced by ½.  |              |              |            | \$                           |
| <b>SUBTOTAL =</b>  |              |              |            | \$                           |
| Processing fee of <b>\$130.00</b> for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30<br>months from the earliest claimed priority date (37 CFR 1.492(f)). |              |              |            | \$                           |
| <b>TOTAL NATIONAL FEE =</b>  |              |              |            | \$                           |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be<br>accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property                                 |              |              |            | \$ 40.00                     |
| <b>TOTAL FEES ENCLOSED =</b>   |              |              |            | \$ 40.00                     |
| PREVIOUS PAYMENT PAID IN THE AMOUNT OF \$2,230.00<br>(previous payment included fee for Oath & Declaration)  |              |              |            | Amount to be<br>refunded: \$ |
|  |              |              |            | charged: \$                  |

- A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.
- Please charge my Deposit Account No. 50-0881 in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- The Commissioner is hereby authorized to charge additional fees which may be required, or credit any overpayment to  
Deposit Account No. 50-0881. A duplicate copy of this sheet is enclosed.
- Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information  
should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO :

Randall B. Bateman  
MORRISS, BATEMAN, O'BRYANT & COMPAGNI  
5882 South 900 East, Suite 300  
Salt Lake City, Utah 84121  
(801) 685-2302 phone  
(801) 685-2303 facsimile

SIGNATURE

Randall B. Bateman

NAME

37,774

REGISTRATION NUMBER



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

|                               |                       |                  |
|-------------------------------|-----------------------|------------------|
| U.S. APPLICATION NO.          | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 09/787651                     | OTTO                  | D 1589.GLE.PT    |
| INTERNATIONAL APPLICATION NO. |                       |                  |
| PCT/EP99/07111                |                       |                  |
| I.A. FILING DATE              | PRIORITY DATE         |                  |
| 24 SEP 99                     | 30 SEP '98            |                  |

RANDALL B BATEMAN  
MORRIS BATEMAN O'BRYANT & COMAGNI  
5882 SOUTH 900 EAST SUITE 300  
SALT LAKE CITY, UT 84121

DATE MAILED: 15 MAY 2001

MP  
due  
7-15-01

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as  a Designated Office (37 CFR 1.494)  an Elected Office (37 CFR 1.495):

U.S. Basic National Fee.  Indication of Small Entity Status.  
 Copy of the international application.  Translation of the international application into English.  
 Oath or Declaration of inventors(s).  Translation of Article 19 amendments into English.  
 Copy of Article 19 amendments.  Other:  
 Priority Document.  
 The International Preliminary Examination Report in English and its Annexes, if any.  
 Translation of Annexes to the International Preliminary Examination Report into English.

2.  Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

U.S. Basic National Fee.  Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.  
 The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.  
 b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).  
 c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.  
 The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.  
 d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(c)).

4. Additional claim fees of \$ \_\_\_\_\_ as a  large entity  small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5.  Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes MUST be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.  
7.  The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

*A copy of this notice MUST be returned with this response.*

Enclosed:  PCT/DO/EO/917  Notice of Defective Translation  
 PTO-875  PCT/DO/EO/920

Paulette Kidwell, Paralegal

Telephone: 703-305-3656

FORM PCT/DO/EO/905 (March 2001)